

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA; the States of CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, HAWAII, ILLINOIS, INDIANA, LOUISIANA, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, MONTANA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, OKLAHOMA, RHODE ISLAND, TENNESSEE, TEXAS, VIRGINIA, and WISCONSIN; the DISTRICT OF COLUMBIA, the CITY OF CHICAGO, and the CITY OF NEW YORK *ex rel.*, and OSWALD BILOTTA,

Plaintiffs,

-against-

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

11 Civ. 0071 (PGG)

**REPLY DECLARATION OF BENJAMIN GRUENSTEIN IN FURTHER SUPPORT OF
NOVARTIS PHARMACEUTICAL CORPORATION'S MOTIONS TO EXCLUDE THE
PROFFERED OPINIONS OF PLAINTIFFS' EXPERTS**

I, Benjamin Gruenstein, declare as follows:

1. I am a member of the law firm Cravath, Swaine & Moore LLP, counsel for Defendant Novartis Pharmaceuticals Corporation ("NPC") in the above-captioned action. This Declaration accompanies the Reply Memoranda of Law in Further Support of NPC's Motions To Exclude The Proffered Opinions of Plaintiffs' Experts.

Exhibits

1. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the transcript of the deposition of Dr. Eric M. Gaier, dated March 7, 2018.

2. Attached hereto as Exhibit 2 is a true and correct copy of the Expert Report of Heidi A. Sorensen, dated December 11, 2017.

3. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the transcript of the deposition of Professor Daniel McFadden, dated March 1, 2018.

4. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the transcript of the deposition of Dr. Graham T. McMahon, dated January 29, 2018.

5. Attached hereto as Exhibit 5 is a true and correct copy of Jushan Bai, Panel Data Models with Interactive Fixed Effects, Econometrica, Vol. 77, No. 4 (July 2009), at 1229-79.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: November 15, 2018
New York, New York



Benjamin Gruenstein